

House Bill 609

By: Representatives Holmes of the 61<sup>st</sup> and Lindsey of the 54<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to  
2 reimbursement of county for inmates, so as to increase the reimbursement rate paid by the  
3 state to counties for housing state inmates awaiting transfer to state correctional facilities; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to reimbursement  
8 of county for inmates, is amended by revising subsection (c) as follows:

9 "(c) After proper documentation is received from the clerk of the court, the department  
10 shall have 15 days to transfer an inmate under sentence to the place of confinement. If the  
11 inmate is not transferred within the 15 days, the department will reimburse the county, in  
12 a sum not less than ~~\$7.50~~ \$40.00 per day per inmate and in such an amount as may be  
13 appropriated for this purpose by the General Assembly, for the cost of the incarceration,  
14 commencing 15 days after proper documentation is received by the department from the  
15 clerk of the court. The reimbursement provisions of this Code section shall only apply to  
16 payment for the incarceration of felony inmates available for transfer to the department,  
17 except inmates under death sentence awaiting transfer after their initial trial, and shall not  
18 apply to inmates who were incarcerated under the custody of the commissioner at the time  
19 they were returned to the county jail for trial on additional charges or returned to the county  
20 jail for any other purposes, including for the purpose of a new trial."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.